

EXHIBIT 29

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty**

In the Matter of COEYMANS MARINE TOWING, LLC D/B/A CARVER MARINE TOWING as Owner and Operator of MiT Mackenzie Rose, (IMO No. 8968765) her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., *in rem*, ("M/T MACKENZIE ROSE"), petitioning for Exoneration from or Limitation of Liability in allision with Norfolk and Portsmouth Belt Line Railroad Company Main Line Railroad Bridge (the "Bridge") occurring June 15, 2024 in and about the Elizabeth River, Virginia.

Civil Action No: 2:24-cv-00490

CARVER MARINE TOWING’S SEVENTH SUPPLEMENTAL RESPONSE TO NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY’S SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

Pursuant to Fed. R. Civ. Pro. 26 and 34 and Eastern District of Virginia Local Rule 26, Petitioners Coeymans Marine Towing, LLC d/b/a Carver Marine Towing (“Carver Marine”) by counsel, responds with its Seventh Supplemental Responses to Claimant/Respondent Norfolk and Portsmouth Line Railroad Company’s (the “Belt Line”) Second Set of Requests for Production of Documents pursuant to F.R.C.P Rule 34 and Local Civil Rule 26(C) as follows:

1. Produce **Your** safety management system(s) in effect from January 1, 2020 to present.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see **Safety Management Forms: CARVER 000148-149, 5.1 Master’s Responsibility And Authority, CARVER 000150-151 6.12 Deckhand, CARVER 000152-154, 6.13 Mate/Captain/Relief Captain, CARVER 000155 7.16 Look Out, CARVER 000194 – 199 Safety Management Form, CARVER 000150 - 1517.9 K Navigation Watch Assessment, Norfolk, VA Data, CARVER 000162 8.8 M Steering Failure, CARVER 000163-169 9.5 Accident/Incident Reporting, CARVER 000201 – 226 Safety Management Form, 7.9 K Navigation Watch Assessment, Norfolk, VA-NC/SC State Line Data - Voyage Planning Information previously produced. Carver will endeavor to locate and produce documents responsive to Request No. 1 to the extent they exist.**

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see **CARVER 000879 - 7.9 Voyage Planning and CARVER 000890-896 - 7.9 Voyage Planning – OUTSIDE NY HARBOR.**

SECOND SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000908 - 7.2 Distracted Operations, CARVER 000909 – 7.4 Vessel Manning, and CARVER 000910 7.12 Bridge Transits.

THIRD SUPPLEMENTAL RESPONSE: See CARVER 001020-1021 - 6.12 Deckhand 2024; CARVER 001022-1024 - 6.13 Mate Captain Relief Captain 2024; CARVER 001026 - 7.16 Lookout 2024; CARVER 001051 - 8.8M Steering Failure 2024; CARVER 001027-1031- 7.5 Navigation 2024; and CARVER 1032 - 7.9 Voyage Planning 2024. Additional documents responsive to this Request may be produced in the course of Carver Marine's rolling productions if any are discovered in Carver Marine's possession, custody, or control following a reasonably diligent search.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER 001351-1698 CMT Towing Safety Management System.

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 1:

Carver withdraws its objection to Request no. 1 per the Court's Order of 4/24/25 [Doc. 50].

See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith.

Carver is not in possession of any additional documents responsive to Request no. 1. The production is complete.

2. Produce all **documents** relating to **Your** safety and/or training program(s), if any, in effect from January 1, 2020 to present, including all **documents** identifying who received training and when.

RESPONSE: See Carver's written objection to Request No. 2 served on March 7, 2025.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000886-889 HEALTH & SAFETY PLAN.

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:

Carver withdraws its objection to Request no. 2 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith. See also CARVER TBS HELM CONNECT 001079-001618 produced herewith. Carver is not in possession of any additional documents responsive to Request no. 2. The production is complete.

3. Produce all **documents** relating to James Morrissey's participation in **Your** safety and/or training program(s) from January 1, 2020 to present.

RESPONSE: See Carver's written objection to Request No. 3 served on March 7, 2025.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000851-885 James Morrissey Training

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000097-098 April Engine Room Training (James) 3.24.24

CARVER TBS HELM CONNECT 000099-102 6.4 Employee Assistance Program Training

CARVER TBS HELM CONNECT 000103-104 August Week 4 2023

CARVER TBS HELM CONNECT 000105-106 December Week 2 2023

CARVER TBS HELM CONNECT 000107-108 December Week 3 2023

CARVER TBS HELM CONNECT 000109-110 December Week 4 2023

CARVER TBS HELM CONNECT 000111-112 February Week 3 2024

CARVER TBS HELM CONNECT 000113-115 January Week 1 2024

CARVER TBS HELM CONNECT 000116-117 January Week 3 2024

CARVER TBS HELM CONNECT 000118-119 January Week 4 2024

CARVER TBS HELM CONNECT 000120-121 July Week 1 2023

CARVER TBS HELM CONNECT 000122-123 July Week 2 2023

CARVER TBS HELM CONNECT 000124-125 July Week 3 2023

CARVER TBS HELM CONNECT 000126-127 July Week 4 2023

CARVER TBS HELM CONNECT 000128-129 June Week 1 2024

CARVER TBS HELM CONNECT 000130-131 June Week 2 2024

CARVER TBS HELM CONNECT 000132-133 June Week 3 2024

CARVER TBS HELM CONNECT 000134-135 March Week 1 2024

CARVER TBS HELM CONNECT 000136-137 March Week 2 2024

CARVER TBS HELM CONNECT 000138-139 March Week 3 2024

CARVER TBS HELM CONNECT 000140-141 May Week 4 2024

CARVER TBS HELM CONNECT 000142-143 November Week 1 2023

CARVER TBS HELM CONNECT 000144-145 November Week 2 2023

CARVER TBS HELM CONNECT 000146-147 November Week 3 2023

CARVER TBS HELM CONNECT 000148-149 November Week 4 2023

CARVER TBS HELM CONNECT 000150-151 October Week 1 2023

CARVER TBS HELM CONNECT 000152-153 October Week 3 2023

CARVER TBS HELM CONNECT 000154-155 October Week 4 2023

CARVER TBS HELM CONNECT 000156-158 Security Drill Form 2023

CARVER TBS HELM CONNECT 000159-160 September Week 1 2023

CARVER TBS HELM CONNECT 000161-162 September Week 4 2023

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 3:

Carver withdraws its objection to Request no. 3 per the Court's Order of 4/24/25 [Doc. 50]. See also CARVER TBS HELM CONNECT 001079-001618 produced herewith. Carver is not in possession of any additional documents responsive to Request no. 3. The production is complete.

SIXTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 3:

See CARVER TBS HELM CONNECT 002962-2933 for documents specifically relating to James Morrissey's participation in Carver's safety and/or training programs. These documents were previously produced on June 9, 2025 as CARVER TBS HELM CONNECT 1079-1618 in response to No. 11 in Carver's Fifth Supplemental Response.

4. Produce all **documents** relating to or evidencing disciplinary history of James Morrissey, including but not limited to, any disciplinary actions taken against James Morrissey.

RESPONSE: See Carver's written objection to Request No. 4 served on March 7, 2025.

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 4:

Carver withdraws its objection to Request no. 4 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER 001146 and CARVER ESI 001628-0001634, served 5/28/25. Carver is not in possession of any additional documents responsive to Request no. 4 as Mr. Morrissey had no prior disciplinary history before the subject Incident. The production is complete.

5. Produce all "Near Miss Reports" related to the navigation, steering, or autopilot system on the Vessel from January 1, 2020 to present.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see CARVER 000037 - 042 9.2 Near Miss Report previously produced.

THIRD SUPPLEMENTAL RESPONSE: See CARVER 001082-1083 - 2.28.24 Auto Pilot (reproduction of CARVER 37-38); CARVER 001084-1086 5-3-24 Rudder Hard Over (reproduction of CARVER 41-42); and CARVER 001080-1081 - 7-7-22 Steering Ram. Additional documents responsive to this Request may be produced in the course of Carver Marine's rolling productions if any are discovered in Carver Marine's possession, custody, or control following a reasonably diligent search.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000163-164 9.2 Near Miss 2.28.24
CARVER TBS HELM CONNECT 000165-166 9.2 Near Miss 4.1.24
CARVER TBS HELM CONNECT 000167-168 9.2 Near Miss 5.3.24
CARVER TBS HELM CONNECT 000169-170 9.2 Near Miss 7.7.22

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 5:

Carver withdraws its objection to Request no. 5 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 5. The production is complete.

6. Produce all **documents** relating to prior accidents and/or marine casualties involving the Vessel within the past 10 years.

RESPONSE: See Carver's written objection to Request No. 6 served on March 7, 2025.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000829-847 - 1-24-24 Pier damage.

THIRD SUPPLEMENTAL RESPONSE: See CARVER 000983-1000 - 3/9/21 Incident Report; CARVER 001002-1019 - 5/20/21 Incident Report; CARVER 001033-1050 - 8/6/21 Incident Report; CARVER 0001053-1071 - 9/27/21 Incident Report; CARVER 000945-962 - 10/13/22 Incident Report; and CARVER 000964-981 - 11/17/20 Incident Report. Additional documents responsive to this Request may be produced in the course of Carver Marine's rolling productions if any are discovered in Carver Marine's possession, custody, or control following a reasonably diligent search.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000171-181 9.5 Incident Report 1.21.24
CARVER TBS HELM CONNECT 000182-192 9.5 Incident Report 10.12.22
CARVER TBS HELM CONNECT 000193-203 9.5 Incident Report 11.17.20
CARVER TBS HELM CONNECT 000204-214 9.5 Incident Report 3.9.21
CARVER TBS HELM CONNECT 000215-225 9.5 Incident Report 5.20.21
CARVER TBS HELM CONNECT 000226-239 9.5 Incident Report 8.24.23
CARVER TBS HELM CONNECT 000240-250 9.5 Incident Report 8.6.21
CARVER TBS HELM CONNECT 000251-261 Incident Report 9.27.21

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 6:

Carver withdraws its objection to Request no. 6 per the Court's Order of 4/24/25 [Doc. 50]. See Carver's First Supplemental Answer to the Belt Line's Interrogatories No. 19. Carver's First Carver is not in possession of any additional documents responsive to Request no. 6. The production is complete.

SEVENTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 6:

See CARVER 002041-002049 9.5 INCIDENT REPORT 5-21-2024.

7. Produce all **documents** relating to prior accidents and/or marine casualties involving James Morrissey within the past 10 years.

RESPONSE: See Carver's written objection to Request No. 7 served on March 7, 2025.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000829-847 - 1-24-24 Pier damage.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000171-181 9.5 Incident Report 1.21.24
CARVER TBS HELM CONNECT 000182-192 9.5 Incident Report 10.12.22
CARVER TBS HELM CONNECT 000193-203 9.5 Incident Report 11.17.20
CARVER TBS HELM CONNECT 000204-214 9.5 Incident Report 3.9.21
CARVER TBS HELM CONNECT 000215-225 9.5 Incident Report 5.20.21
CARVER TBS HELM CONNECT 000226-239 9.5 Incident Report 8.24.23
CARVER TBS HELM CONNECT 000240-250 9.5 Incident Report 8.6.21
CARVER TBS HELM CONNECT 000251-261 Incident Report 9.27.21

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 7:

Carver withdraws its objection to Request no. 7 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 7. The production is complete.

8. Produce all **documents** relating to or evidencing the repairs and/or work done on the Vessel for the period of June 12, 2024 through June 14, 2024, including, but not limited to, documents identifying who performed the work and a description of the work done.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see CARVER 000249 Mackenzie Rose_ 6-15-2024 - AYERS1 Vendor Tech report 3533, CARVER 000250 - Mackenzie Rose_ 6-15-2024 - Vendor Tech report 35706, CARVER 000251 -1 1-20-2023 GMT Report Auto Pilot, and CARVER 000252 - 3-2-2024 GMT Report Auto Pilot previously produced. Carver will endeavor to locate and produce additional documents responsive to Request No. 8 for the past five years or until the last Vessel overhaul to the extent they exist.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000262-265 Tasks – 2020
CARVER TBS HELM CONNECT 000263-268 Tasks – 2021
CARVER TBS HELM CONNECT 000269-271 Tasks – 2022
CARVER TBS HELM CONNECT 000272-276 Tasks – 2023

CARVER TBS HELM CONNECT 000277-280 Tasks – 2024

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 8:

Carver withdraws its objection to Request no. 8 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 8. The production is complete.

9. Produce all **documents** identifying or evidencing repairs conducted relating to the navigation, steering, or autopilot system on the **Vessel** from January 1, 2020 to present.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see CARVER 000033 – 36, 10. 1 DAILY ENGINE ROOM LOG – MAINT PROCED REP-MACKENZIE ROSE, CARVER 000249 Mackenzie Rose_ 6-15-2024 - AYERS1 Vendor Tech report 3533, CARVER 000250 - Mackenzie Rose_ 6-15-2024 - Vendor Tech report 35706, CARVER 000251 -1 1-20-2023 GMT Report Auto Pilot, and CARVER 000252 - 3-2-2024 GMT Report Auto Pilot previously produced. See also Carver's Response to Norfolk's First Requests for Production No. 16. Carver will endeavor to locate and produce additional documents responsive to Request No. 9 for the past five years or until the last Vessel overhaul to the extent they exist.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000821 - 11-30-2023 GMT Report 8.

THIRD SUPPLEMENTAL RESPONSE: See CARVER 000982 - 11/30/23 GMT Report; CARVER 000963 - 10/7/23 GMT Report; CARVER 001052 - 9/22/23 GMT Report; CARVER 001074 - 9/7/23 GMT Report; CARVER 001072 - 9/3/23 GMT Report; CARVER 001025 - 7/10/23 GMT Report; CARVER 001001 - 4/4/23 GMT Report; and CARVER 000944 - 1/3/24 GMT Report. Additional documents responsive to this Request may be produced in the course of Carver Marine's rolling productions if any are discovered in Carver Marine's possession, custody, or control following a reasonably diligent search.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000262-265 Tasks – 2020
CARVER TBS HELM CONNECT 000263-268 Tasks – 2021
CARVER TBS HELM CONNECT 000269-271 Tasks – 2022
CARVER TBS HELM CONNECT 000272-276 Tasks – 2023
CARVER TBS HELM CONNECT 000277-280 Tasks - 2024

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 9:

Carver withdraws its objection to Request no. 9 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 9. The production is complete.

10. Produce all **documents** relating to or evidencing any time within the past 10 years that the navigation, steering, or autopilot system on the **Vessel** malfunctioned.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see CARVER 000033 – 36 10.1 DAILY ENGINE ROOM LOG – MAINT PROCED REP-MACKENZIE ROSE, CARVER 000234 – 243 Tug Mackenzie Rose - Emergency Steering Procedure – Rough Engine Logs, CARVER 000251 - 1-20-2023 GMT Report Auto Pilot, CARVER 000252- 3-2-2023 GMT Report Auto Pilot previously produced. Carver will endeavor to locate and produce documents responsive to Request No. 10 for five years before June 15, 2024, the date of the incident.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see:

CARVER TBS HELM CONNECT 000262-265 Tasks – 2020
CARVER TBS HELM CONNECT 000263-268 Tasks – 2021
CARVER TBS HELM CONNECT 000269-271 Tasks – 2022
CARVER TBS HELM CONNECT 000272-276 Tasks – 2023
CARVER TBS HELM CONNECT 000277-280 Tasks – 2024

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 10:

Carver withdraws its objection to Request no. 10 per the Court's Order of 4/24/25 [Doc. 50]. Carver is not in possession of any additional documents responsive to Request no. 10. The production is complete.

11. Produce all **documents** identifying or evidencing training conducted relating to the navigation, steering, or autopilot system on the **Vessel** from January 1, 2020 to present, including who performed it and who received it.

RESPONSE: See Carver's written objection to Request No. 11 served on March 7, 2025.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000848-850 6-2a New Crew Orientation Checklist - All Employees and CARVER 000822-828 - 6-2b New Crew Orientation Checklist - All Employees – Vessel

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 11:

Carver withdraws its objection to Request no. 11 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith. See also CARVER TBS HELM CONNECT 001079-001618 produced herewith. Carver is not in possession of any additional documents responsive to Request no. 11. The production is complete.

12. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present relating to the use of lookouts on the **Vessel**.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, *see* CARVER 000155 7.16 Look Out previously produced.

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see: CARVER 001728-1731 Mackenzie Rose COI 20210519 Amendment 1 (5)

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 12:

Carver withdraws its objection to Request no. 12 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith. Carver is not in possession of any additional documents responsive to Request no. 12. The production is complete.

13. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present that identify procedures for testing/inspecting the "Steering System," "Navigation Equipment," and "Propulsion Controls/Systems" as described in the Master Daily Vessel reporting forms for the **Vessel**.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, *see* CARVER 000162 8.8 M STEERING FAILURE, CARVER 000194 –199 Safety Management Form 7.9 K Navigation Watch Assessment, Norfolk, VA Data, Carver 000201 – 226 Safety Management Form, 7.9 K Navigation Watch Assessment, Norfolk, VA-NC/SC State Line Data - Voyage Planning Information, and CARVER 000233 Tug Mackenzie Rose - Emergency Steering Procedure previously produced.

SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see CARVER 000816-820 - 7.5 Navigation

FOURTH SUPPLEMENTAL RESPONSE: Without waiving its objections served on March 7, 2025, please see generally CARVER 001351-1698 CMT Towing Safety Management System

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 13:

Carver withdraws its objection to Request no. 13 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith. Carver is not in possession of any additional documents responsive to Request no. 13. The production is complete.

14. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present that identify when, how, and/or where **Your** employees must report collision or allision encountered by the Vessel.

RESPONSE: Subject to and without waiving its written objections served on March 7, 2025, see Safety Management Forms, CARVER 000163-169 9.5 Accident/Incident Reporting.

FIFTH SUPPLEMENTAL RESPONSE TO REQUEST NO. 14:

Carver withdraws its objection to Request no. 14 per the Court's Order of 4/24/25 [Doc. 50]. See CARVER TBS HELM CONNECT 00732-1078 (Coeymans SMS), produced herewith. Carver is not in possession of any additional documents responsive to Request no. 14. The production is complete.

Dated: July 17th, 2025

Respectfully submitted,

CLYDE & CO US LLP

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of July 2025, the foregoing was served by electronic mail on the following:

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